



# Senator Bob Oke's LEGISLATIVE UPDATE

26th Legislative District • P.O. Box 40426, Olympia WA 98504-0426 • (360) 786-7650

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## **ELECTION CHALLENGE UPDATE**

King County's election chief admitted on March 14 that 660 provisional ballots were tabulated in November without the required verification of voter eligibility. This bit of news came just days after King County Prosecuting Attorney Norm Maleng announced he has confirmed that 99 felons voted in King County without having their civil rights restored. Gregoire's margin of victory was only 129 votes.

## **ELECTION REFORM UPDATE**

### **How Democrats stopped true election reform**

The people said they wanted to fix King County's election problems. The Republican solution made all county auditors elected officials. The Democrats said no.

The people said they wanted to stop having elections workers change people's votes/ballots. The Republican solution prohibited ballot enhancements. The Democrats said no.

The people wanted educated voters. The Republican solution required teaching election information in high schools. The Democrats said no.

The people wanted uniform handling of provisional ballots. The Republican solution codified provisional ballot rules into state law. The Democrats said no.

The people wanted only U.S. citizens on voter rolls. The Republican solution required proof of citizenship when registering to vote. The Democrats said no.

The people wanted the opportunity to abstain from voting. The Republican solution added a voter abstention check box. The Democrats said no.

The people wanted to stop citizens from voting twice. The Republican solution called for checking addresses to mailbox businesses and challenging a voters' residency. The Democrats said no.

The people wanted clean voter rolls. The Republican solution called for comparing voter rolls with agency databases. The Democrats said no.

The people wanted to require photo identification at poll sites. The Republican solution required a form of current PHOTO ID as the only acceptable identification. **The Democrats said no.**

The people wanted every vote to have a voter. The Republican solution called for voter reconciliation and called for an automatic revote if the vote count outnumbered voters by more than the margin of victory. The Democrats said no.

### **Good Republican amendments to Senate Bill 5499 the Democrats did support**

The people wanted clean voter rolls. The Republican solution had random checks and asked registrants if they are citizens and will be 18 at the time of the election. The Democrats agreed with the Republican amendments.

The people wanted to keep voter information secure. The Republican solution added a security flap to absentee ballots. The Democrats agreed with the Republican amendment.

The people wanted color-coded provisional ballots. The Republican solution added color. The Democrats agreed with the Republican amendment.



The people wanted to make sure the military had an opportunity to vote. The Republican solution moved back the filing date and provided an exemption for late ballots. The Democrats agreed with the Republican amendments.

SB 5499 is now before the House of Representatives for consideration.

### **BUDGET TIDBITS...JUST THE FACTS**

**Washington's economy grows because of 2003-05 "No New Taxes Budget." Message is clear: The right thing for the economy is not to raise taxes.** For more information, go to [www.src.wa.gov](http://www.src.wa.gov) and click on "Budget Tidbits...just the facts, 11th Edition."

**Senate Bill 5048 Update...Sen. Oke's** bill to outlaw the giving away of cigarettes and chewing tobacco samples at public events has been approved by the House Finance Committee and sent to the House Rules Committee. This measure is now eligible to be put on the House calendar for a vote. This measure will help prevent access to tobacco products by young people and help reduce the number of youths who start smoking.



## **for Washington**

### **SENATE DEMOCRATS ABANDON I-601 TAX AND SPENDING LIMITATIONS**

*Defying the will of state voters, Senate Democrats approved a measure to make it easier to raise taxes and increase spending. Senate Bill 6078 passed on a straight party line vote with Republicans voting a solid "no." Senate Democrats will now be able to pass tax increases with just their 25 votes. Under the bill, the spending limit is now tied to growth in personal income rather than population growth and inflation – a much higher standard that will allow more spending.*

### **FAMILY LEAVE BILL PASSES SENATE**

The Senate approved a family leave insurance program that taxes employees two-cents-per-hour (\$41/year) and pays a benefit of \$250 a week for up to five weeks when an employee takes time off to care for a new born, newly adopted child or sick family member. The program is mandatory for companies with 50 or more employees and optional for employers with fewer than 50 workers. Originally, this bill also taxed employers, but that provision was removed in committee. **Senate Bill 5069** is now before the House of Representatives for consideration.

### **DEMOCRATS REJECT REPUBLICAN AMENDMENT TO HOLD SCHOOL LEVY ELECTIONS IN NOVEMBER**

Senate Democrats killed their own bill to allow a simple majority vote for school levies when they rejected **Sen. Oke's** amendment to restrict school elections to November. The bill, **Senate Joint Resolution 8202**, is a constitutional amendment and requires a two-thirds vote of both the Senate and House to pass. Once approved by the Legislature, it would then have to go to the voters to decide. However, without agreeing to restrict school levy and bond measures to the November ballot to ensure people know there is an election, Democrats did not have a two-thirds majority and the bill failed. School levies and bonds are often run in a special election during February or March and many people are not even aware there is an election. The current 60 percent requirement for passage of a levy or bond protects property owners from being taxed without having a voice.

### **REGULATORY REFORM MEASURE HELPS SMALL BUSINESSES**

The Senate unanimously approved a bill to improve the regulatory climate for small companies in Washington. The measure, Senate Bill 5730 requires agencies to consider a number of methods of reducing the impact of a proposed rule on a small business. The bill also improves notification requirements when a proposed rule will impact a small business. The Joint Legislative Rules Review Committee is directed to establish a small business advisory board. SB 5730 is now before the House of Representatives for consideration.

### **SENATE BOOSTS PROTECTION OF SCHOOLCHILDREN FROM PREDATORY TEACHERS**

The Senate unanimously approved a measure to revoke a teacher's certificate if he or she intentionally views sexually explicit material on school grounds. Under this proposed new law, the Superintendent of Public Instruction must suspend or revoke a teacher's certificate on the first offense and must permanently revoke the certificate for a second offense. This proposal is the result of a teacher who resigned from a teaching job after being reported for viewing pornography on his school computer and subsequently went to work for another school district where he engaged in sexual misconduct with a 14-year-old female student. This important step to protect children is now part of Senate Bill 5983 (**originally SB 5677, co-sponsored by Sen. Oke**), a measure to improve the professional certification process for teachers. This bill is now before the House of Representatives for consideration.

### **SOLAR ENERGY MANUFACTURERS TO GET TAX BREAKS**

Under a bill approved by the Senate this week, manufacturers of solar energy systems may qualify for a sales tax break on new construction; a use tax break on personal property; a business and occupation tax credit for each full-time production line job; and a property tax break on machinery and equipment. Washington is still 52 percent reliant on hydropower. Incentives to diversify will help us overcome that reliance, along with keeping and creating good-paying manufacturing jobs, mostly in rural areas of the state where jobs are needed. Senate Bill 5111, **co-sponsored by Sen. Oke**, is now before the House of Representatives for consideration.

### **STATE TRANSPORTATION SECRETARY TO BE APPOINTED BY GOVERNOR**

Under a measure approved by the Senate this week, the Secretary of Transportation will be appointed by the governor instead of the Washington Transportation Commission – an appointed body that now chooses the person to lead the state transportation department. This makes the head of transportation in Washington accountable to an elected official who is accountable to the voters. Senate Bill 5513 also expands the role of the commission to serve as a public forum for transportation policy development and creates the Transportation Policy Institute (TPI) within the commission to conduct research, prepare studies and submit recommendations to the Legislature. This bill is now before the House of Representatives for consideration.

### **SENATE APPROVES LIFE SCIENCES DISCOVERY FUND**

Under Senate Bill 5581, grants will be provided to spur biomedical and bioscience research at the University of Washington, Washington State University and the Pacific Northwest National Laboratory in Richland, Washington. The Life Sciences Discovery Fund will initially draw money from the tobacco settlement to attract private investments and greater federal funding. This type of strategic investment would use state funds to leverage up to \$1 billion in total investment funds and attract more top life-science researchers to Washington. This measure is now before the House of Representatives for consideration.

### **SENATE APPROVES BILL TO INCREASE ACCESS TO PRIVATE LANDS FOR FISH AND WILDLIFE-RELATED RECREATIONAL ACCESS**

Under Senate Bill 5234, **co-sponsored by Sen. Oke**, a surcharge of \$5.00 will be added to big and small game hunting licenses to allow the Department of Fish and Wildlife to furnish money, materials or labor under agreements with private landowners to improve public access. This bill is now before the House of Representatives.

### **AUTOMATED TRAFFIC CAMERAS NEW TOOL TO HELP LOCAL LAW ENFORCEMENT AGENCIES UNDER BUDGET CONSTRAINTS**

A bill to allow local governments to use automated traffic cameras passed the Senate this week, but not without controversy. These cameras may only be used to detect stoplight violations, railroad crossing violations and school speed zone violations. Signs must be posted warning drivers that the cameras are being used. The cameras must be positioned so that only the vehicle and vehicle license plate, not the driver or

passengers, are photographed. Infractions issued for violations caught by the cameras may not become part of the registered owner's driving record. While the use of cameras may free up a police officer's time, these cameras still pose a threat to privacy and raise constitutional concerns for many legislators. Senate Bill 5060 is now before the House of Representatives for consideration.

#### **SENATE PASSES BILL TO ASSESS LONG-TERM AVIATION NEEDS IN WASHINGTON**

Under Senate Bill 5121, the Aviation Division of the Washington State Department of Transportation is directed to conduct a statewide airport capacity and facilities assessment. In particular, Paine Field in Everett will be evaluated for its viability as an option for taking some of the burden off Sea-Tac Airport. The future of commercial aviation service in Washington includes more point-to-point services, smaller airplanes with greater fuel efficiencies and increased local services to meet customer demands. This measure is now before the House of Representatives.

#### **OFFICIAL DECLARATION OF DROUGHT IMMEDIATELY ACTIVATES SEVERAL TOOLS**

The emergency drought declaration, by law, immediately activates several tools the Department of Ecology can use to ease the impacts of the drought:

- Expedited emergency water right transfers (15 days from date of application)
- Expedited (15 days) temporary permits to access emergency wells and dead storage to maintain established uses (priority permit processing for domestic and irrigation supplies and cannot impair other rights, fisheries, power or navigation)
- Grants and loans to assist the maintenance of agriculture water supplies, community water supplies and stream flows. This funding can be used to purchase water rights and/or pay for emergency infrastructure to access water.

#### **The governor has also requested the following:**

- The Emergency Drought Committee to function like an emergency command center, tracking and coordinating response efforts by state agencies and ensuring resources are getting where they are most needed;
- The departments of Agriculture, Health, and Fish and Wildlife to work closely with Ecology to identify where actions or investments need to be made to address water shortages;
- The Washington Conservation Commission to work with local conservation districts and individual farmers to conserve and deliver irrigation water more efficiently; and
- The National Guard to prepare to support fire-fighting efforts.

**Two bills were introduced to ease the impacts of the 2005 drought emergency** on families and farmers across the state. Senate Bill 6084 eliminates the "extent and validity" test for water rights transfers during a drought emergency so people who willingly transfer their water to help others won't risk losing their water right under the state's "use-it-or-lose-it" provision. Senate Bill 6086 allows people to retrofit their domestic wells to provide water for agricultural purposes during a drought emergency. Both of these measures are in the Senate Water, Energy and Environment Committee.

*Legislative toll free hotline: 1-800-562-6000*

*TTY: 1-800-635-9993*

*Senate Republican Web site: [www.src.wa.gov](http://www.src.wa.gov)*

*Legislature's Web site: <http://www1.leg.wa.gov/legislature>*